

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DREW MACEWEN, ANDREW BARKIS,  
CHRIS CORRY, BRANDON VICK, KELLY  
CHAMBERS, MICHAEL MCKEE, FRAN  
WILLS, BRUCE RUSSELL, Phil Fortunato,  
Dave McMullan, Isaac Vellekamp, and Marcus  
Torrey,

*Plaintiffs,*

v.

JAY INSLEE, in my official capacity as the  
Governor of Washington,

*Defendant.*

No. 3:20-cv-05423

DECLARATION OF FRAN WILLS

I, Fran Wills, make the following declaration under penalty of perjury:

1. I am a plaintiff in the above-entitled action and have personal knowledge of the facts stated herein.
2. I am a resident of Washington.
3. I suffer from secondary progressive multiple sclerosis, a continual decline in nervous function.
4. My multiple sclerosis has gotten worse over recent years: for example, I have gone from being able to use a cane to being forced to use a walker.
5. I am also seventy years old.
6. As a result of my multiple sclerosis and the general infirmity that comes with my age, I have extreme difficulty exercising normally.

- 1 7. Like many seniors, and like many people with multiple sclerosis, I also do not get much  
2 incidental muscle stimulation.
- 3 8. Failure to get either regular exercise or regular incidental muscle stimulation can cause severe  
4 muscle atrophy.
- 5 9. Muscle atrophy, in turn, can seriously worsen the effects of multiple sclerosis.
- 6 10. Because I, as a septuagenarian with multiple sclerosis, do not get much incidental muscle  
7 stimulation, I must exercise regularly in order to avoid severe muscle atrophy and worsening  
8 of my multiple sclerosis.
- 9 11. Like many people who have extreme difficulty exercising normally, I rely on aquatic exercise  
10 in order to avoid severe muscle atrophy and worsening of my multiple sclerosis.
- 11 12. Since 2014, I have participated in the "Water Fit" aquatic exercise program at an athletic club,  
12 on a thrice-weekly basis.
- 13 13. The athletic club has been shut down since March 13, 2020, due to the Proclamations.
- 14 14. But for the Proclamations, it would be open.
- 15 15. I have already suffered accelerated muscle atrophy during the time of the shutdown, as a result  
16 of the Proclamations.
- 17 16. I will continue to suffer accelerated muscle atrophy for as long as the shutdown persists, as a  
18 result of the Proclamations.
- 19 17. Although my Water Fit classes are effective at slowing my muscle atrophy, they cannot reverse  
20 atrophy that has already occurred for a person in my condition.
- 21 18. The muscle atrophy that I have suffered as a result of the Proclamations is most likely  
22 permanent.
- 23 19. The muscle atrophy that I will continue to suffer as a result of the Proclamations will most  
24 likely be permanent as well.
- 25 20. Because of my already serious infirmity, I face a significant risk of losing my ability to walk if  
26 my muscles atrophy any further.
- 27 21. I face a significant risk of permanently losing her ability to walk as a result of the Proclamations.

22. Because of my already serious infirmity, I also face a significant risk of death due to multiple sclerosis complications if my muscles atrophy any further.

23. I face a significant increased risk of earlier death as a result of the Proclamations.

24. I also have difficulty performing many basic household tasks as a result of my multiple sclerosis and muscle atrophy.

25. These tasks become more difficulty as my multiple sclerosis and muscle atrophy progress.

26. I face a significant risk of becoming incapable of performing basic household tasks due to the Proclamations.

27. Normally, I socialize with other students in my Water Fit classes, dine out with friends, visit with relatives who live in the area, see movies with other people, play poker at the local casino, and go to the mall.

28. Every single one of the activities on which I rely for my human interaction has been banned by the Proclamations.

29. I have been deprived of virtually all human contact as a result of the Proclamations.

30. But for the Proclamations, I would be participating in my normal, active social life.

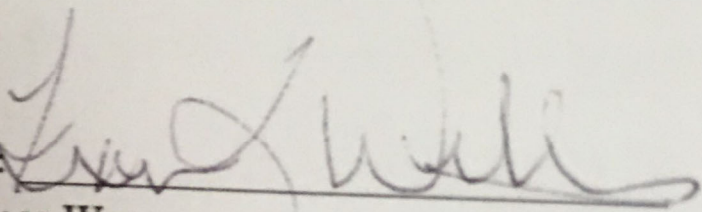
31. I have suffered and am still suffering significant injury to my emotional and psychological health as well as my physical health from the isolation as a result of the Proclamations.

SIGNED, May \_\_, 2020, at \_\_\_\_\_, Washington.

BY: \_\_\_\_\_  
FRAN WILLS

22. Because of my ankylosing spondylitis, I face a significant increased risk of earlier death as a result of the Proclamations.
23. I face a significant increased risk of earlier death as a result of the Proclamations.
24. I also have difficulty performing many basic household tasks as a result of my multiple sclerosis and muscle atrophy.
25. These tasks become more difficult as my multiple sclerosis and muscle atrophy progress.
26. I face a significant risk of becoming incapable of performing basic household tasks due to the Proclamations.
27. Normally, I socialize with other students in my Water Fit classes, dine out with friends, visit with relatives who live in the area, see movies with other people, play poker at the local casino, and go to the mall.
28. Every single one of the activities on which I rely for my human interaction has been banned by the Proclamations.
29. I have been deprived of virtually all human contact as a result of the Proclamations.
30. But for the Proclamations, I would be participating in my normal, active social life.
31. I have suffered and am still suffering significant injury to my emotional and psychological health as well as my physical health from the isolation as a result of the Proclamations.

SIGNED, May 20, 2020, at Spokane, Washington.

BY:   
FRAN WILLS